

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE NORTHWESTERN MUTUAL LIFE
INSURANCE COMPANY,

Plaintiff,

- against -

MARIE LISOWSKI AS TRUSTEE FOR THE
BENEFIT OF MATTHEW J. LISOWSKI AND
JOETTA LISOWSKI,

Defendants.

**CERTIFICATION IN SUPPORT OF
APPLICATION TO BE
DISCHARGED AS COUNSEL**

(ECF)
07 Civ 6619 (KMK) (LMS)

-----X
STATE OF NEW YORK)
) ss:
COUNTY OF DUTCHESS)

David R. Wise, certifies the following to be true under the penalties of perjury:

1. I am a member of the firm of Gellert & Klein, P.C. ("G&K"), attorneys of record for Defendant Marie Lisowski as Trustee for the Benefit of Matthew J. Lisowski. As such I am familiar with the facts and circumstances set forth herein.

2. I submit this Certification in support of G&K's application for an Order to be discharged of record as attorneys for Marie Lisowski.

3. In February 2008, the parties agreed upon a settlement of this matter. All counsel of record and Marie Lisowski agreed upon the terms of a proposed Settlement Agreement and Release ("Settlement Agreement") that was circulated among the parties. A Stipulation of dismissal was also circulated among all counsel. I forwarded the Settlement Agreement to Ms. Lisowski on February 21, 2008. At the time the Settlement Agreement was forwarded to Ms. Lisowski, as well as in three subsequent letters, I offered Ms. Lisowski the opportunity to raise any questions that she had concerning the document.

4. On April 8, 2008, and without ever having received any call, inquiry or the signed Settlement Agreement from Ms. Lisowski, I received a correspondence dated March 25, 2008, a copy of which is attached as Exhibit A.

5. The attached correspondence from Ms. Lisowski clearly expresses her desire to discharge G&K as her counsel in this matter.

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6. I have no basis upon which to insist that my firm continue to represent Ms. Lisowski against her will.

7. Under the circumstances, it is respectfully requested that the Court issue an Order discharging G&K as counsel for Marie Lisowski as Trustee for the Benefit of Matthew J. Lisowski.

Dated: Poughkeepsie, New York
April 9, 2008

Respectfully submitted,

By: s/
DAVID R. WISE (DW - 3016)
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